

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

BMF, INC.

Debtor

CASE NO. 12-00658 (BKT)

CHAPTER 11

MOTION TO QUASH RULE 2004 EXAMINATION REQUESTED BY FIRSTBANK

TO THE HONORABLE COURT:

COMES NOW, BMF, Inc. Hereinafter the Debtor, through the undesignated attorney and very respectfully STATES and PRAYS:

1. On August 17, 2012, Firstbank Puerto Rico filed a motion requesting the Rule 2004 examination of the Debtor's comptroller and accounting manager, Mr. Luis O. Mayendía. (Docket 80)
2. The Debtor opposes the Rule 2004 request made. Firstbank has failed to comply with Local Bankruptcy Rule 2004-1(b) which requires a prior consultation between counsels to arrange a mutually agreeable date, place and time for the examination before the motion is filed.
3. Firstbank's motion is also deficient since it does not comply with the requirements of the Local Rule. It does not include a statement regarding the prior consultation with counsel. Please refer to LBR 2004-1 (b)1-4.
4. For the above stated reasons the Debtor objects the request for a Rule 2004 examination of Debtor's comptroller, Mr. Luis O. Mayendía. The Debtor also reserves its rights to raise further objections to the merits of the requests made.

WHEREFORE, the Debtor very respectfully requests that the Rule 2004 examination of the Debtor be denied for the above stated reasons.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 21st day of August, 2012.

I HEREBY CERTIFY that on this same date I electronically filed the foregoing through the CM/ECF system, which will send notification of such filing to the parties therein registered to receive Notice as follows:

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